

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

GAUGE ROBINETTE, SR.,	:	Case No. 2:22-cv-01592
	:	
Plaintiff,	:	District Judge James L. Graham
	:	Magistrate Judge Caroline H. Gentry
vs.	:	
	:	
ROSS CORRECTIONAL INSTITUTION,	:	
	:	
Defendant.	:	

DEFICIENCY ORDER

Plaintiff, a prisoner at the Ross Correctional Institution, has filed a motion for leave to proceed *in forma pauperis* in connection with a civil rights complaint. (Doc. 1).

Pursuant to the Prison Litigation Reform Act of 1995 (PLRA), 28 U.S.C. § 1915(a)-(h), a prisoner seeking to bring a civil action without prepayment of fees or security therefor must submit an application and affidavit to proceed without prepayment of fees *and* a certified copy of their trust fund account statement (or institutional equivalent) for the six-month period immediately preceding the filing of the complaint obtained from the cashier of the prison at which the prisoner is or was confined. 28 U.S.C. § 1915(a)(2). In this case, plaintiff's motion for leave to proceed *in forma pauperis* is incomplete. The "Certificate" page of plaintiff's application (page 8 of the Application and Affidavit By Incarcerated Person to Proceed Without Prepayment of Fees form that is used in this Court, completed and signed by the institutional cashier) is blank and plaintiff has failed to provide the Court with a certified copy of his trust fund

account statement as required by the PLRA.

Plaintiff is therefore **ORDERED** to pay \$402 (\$350 filing fee plus \$52 administrative fee) or submit to the Court a certified copy of his prison trust fund account statement (or institutional equivalent) for the preceding six-month period **within thirty (30) days**.

If plaintiff fails to comply with this Order, the Court shall dismiss his case for want of prosecution. *In re Prison Litigation Reform Act*, 105 F.3d 1131 (6th Cir. 1997). If plaintiff's case is dismissed for failure to comply with this Order, the case will not be reinstated to the Court's active docket despite the payment of the filing fee. *Id.*

Any motions for extension of time must be filed within **thirty (30) days** of the date of the Deficiency Order. All motions for extension of time must be accompanied by a notarized statement or declaration complying with 28 U.S.C. § 1746 setting forth the date plaintiff placed the motion in the prison mail system and stating that first class postage was prepaid. If plaintiff does not receive the Deficiency Order within thirty (30) days, his motion for extension of time must also be accompanied by a notarized statement or declaration complying with 28 U.S.C. § 1746 setting forth the date he received the Deficiency Order.

The Clerk of Court is **DIRECTED** to send a copy of this Deficiency Order to the cashier of the prison at which plaintiff is confined.

IT IS SO ORDERED.

March 22, 2022

s/Caroline H. Gentry

Caroline H. Gentry
United States Magistrate Judge